

# EPA Region III

## Office of Public Affairs

### EARLY BIRD HEADLINES

**Wednesday, October 3, 2012**

#### \*\*\* MORNING HOT LIST \*\*\*

#### **Cabot's Methodology Links Tainted Water Wells to Gas Fracking**

**BLOOMBERG BUSINESS NEWS** Methane in two Pennsylvania water wells has a chemical fingerprint that links it to natural gas produced by hydraulic fracturing, evidence that such drilling can pollute drinking water. The data, collected by the U.S. Environmental Protection Agency, are significant because the composition of the gas --its isotopic signature -- falls into a range Cabot Oil & Gas Corp. had identified as that of the Marcellus Shale, which it tapped through hydraulic fracturing, or fracking. "The EPA data falls squarely in the Marcellus space" established by Cabot's scientists, said Rob Jackson, an environmental scientist at Duke University. That evidence backs up his findings linking gas drilling and water problems in the town of Dimock, applying the very methodology that Cabot established to try to debunk it, he said. Cabot maintains that its operations haven't contaminated homeowners' wells, and its scientists say further analysis shows this gas isn't from the Marcellus, a mile-deep formation running from New York to the southwestern tip of Virginia. Industry groups say there hasn't been proof of fracking contaminating water anywhere, and dispute research that suggests pumping millions of gallons of water, sand and chemicals underground to break apart rock and free trapped gas endangers the environment. The question of the provenance of the gas in the northeastern Pennsylvania town has taken on national importance after tainted wells there were featured in the film "Gasland." Last year, the EPA stepped in to test the water, one of only a few cases nationwide where the federal agency intervened in a dispute over fracking and water woes. "Dimock is so important because it's so high profile," Kate Sinding, a senior attorney at the Natural Resources Defense Council in New York, said in an interview. "It's been a poster child for what can happen with fracking." In a 2010 consent order, the Pennsylvania Department of Environmental Protection found that 18 drinking-water wells in the area were "affected" by Cabot's drilling. The company disagreed, and applauded when the EPA cleared the water in Dimock as safe this July. State regulators ruled last month that Cabot could begin fracking seven wells in the affected area of Dimock, ending a moratorium imposed in 2010.

#### **VIMS Receives EPA Grant to Help Protect Bay**

**WILLIAMSBURG-YORKTOWN DAILY** A grant from the Environmental Protection Agency will help the Virginia Institute of Marine Science assist local government efforts to protect the Chesapeake Bay watershed. The three-year, \$999,640 grant was announced Tuesday during an EPA press conference at the VIMS campus in Gloucester Point. It will allow VIMS researchers to create planning tools that can help leaders in the Chesapeake Bay watershed make land-use decisions that will prevent pollutants and excess nutrients from entering the Bay's tributaries. During his presentation of the award, EPA Regional Administrator Shawn M. Garvin said, "Through this grant, VIMS will work to reduce wetland loss in Virginia, which will help the state's

economy, as well as its environment.” VIMS Director of the Center for Coastal Resources Management Carl Hershner will lead the EPA project, which he said will help VIMS develop resource-management plans providing guidance for protecting wetlands in light of “existing land use and development pressures.” Hershner said VIMS aims to create planning tools specific to localities throughout the state to help local planners, regulators and residents. The project expands on VIMS’ previous contributions to Virginia’s EPA-approved Wetland Program Plan. Protection and regulation of the nation’s wetlands is mandated under the Clean Water Act of 1972.

## **Chesapeake Bay 'pollution diet' heads to court**

**MARYLAND GAZETTE** The Chesapeake Bay and its “pollution diet” will be the center of attention in a Pennsylvania courtroom this week. The American Farm Bureau and a half-dozen national agricultural groups have sued to block the pollution diet, the government’s latest strategy for restoring the health of the Chesapeake Bay. The National Association of Home Builders is a party to the lawsuit as well. The farmers and home builders argue that the pollution diet was enacted without proper notice, is based on flawed computer models and isn’t allowed under the federal Clean Water Act. The U.S. Environmental Protection Agency has defended the policy in court filings. Both sides have asked U.S. District Judge Sylvia Rambo to rule without holding a trial, a practice known as summary judgment. Rambo will hear oral arguments in Harrisburg on Thursday. “We want to ensure the progress that’s being made stays intact and we keep moving forward,” said Kim Coble, a vice president of the Chesapeake Bay Foundation, which supports the pollution diet and has been granted “intervenor” status as a stakeholder in the case. The bay foundation and the other intervenors also will be allowed to state their case Thursday. Coble said that while the farmers’ arguments on paper are about how the pollution diet was created, their true motivation is to stop the bay effort so that the pollution diet — officially called a “total maximum daily load,” or “TMDL” — isn’t replicated in other parts of the country. “Their concern is this could be the camel’s nose under the tent. This could be precedent-setting for other waterways,” Coble said. An American Farm Bureau spokeswoman in Washington, D.C. did not respond to requests for comment. David Sternberg, the EPA’s regional spokesman in Philadelphia, declined to comment because the case is ongoing. In court papers, however, the EPA has defended its public comment process and the development of the computer models used in the pollution diet. The agency argues that it does have authority to create the pollution diet under the Clean Water Act, and is required to do so under previous court settlements. The pollution diet was finished at the end of 2010, replacing voluntary cleanup programs. The pollution diet sets maximum levels of pollution that can be allowed in the Chesapeake Bay’s vast watershed: 185.9 million pounds of nitrogen, 12.5 million pounds of phosphorus and 6.45 billion pounds of sediment per year.

## **State rep. authors bill for health and safety panel on natural gas drilling**

**HAZELTON STANDARD-SPEAKER** HARRISBURG - A Senate Republican leader is drafting a bill to create a panel to address public health and safety issues stemming from drilling operations in the Marcellus Shale region. President Pro Tempore Joseph Scarnati, R-25, Jefferson County, wants a panel that includes doctors, scientists, academics and gas industry leaders to study public health data and scientific findings related to drilling. In a memo to colleagues, Scarnati is proposing a nine-member panel including the state health secretary and appointees named by Gov. Tom Corbett and legislative leaders. Creating the health panel will correct a deficiency with the state drilling impact fee law, said Sen. John Yudichak, D-14, Nanticoke, ranking Democrat on the Senate Environmental Resources and Energy Committee. As a companion piece, Yudichak is seeking action on a bill he sponsored to earmark \$2 million in impact fees annually for a state population health registry. The public won't be reassured about drilling until independent-funded public research is available, he said. Currently, Scarnati's proposal would give those with appointive power discretion to name panelists with expertise in such high-profile health issues as the protection of drinking water, said top Scarnati aide Drew Crompton. Scarnati's proposal would carry out a recommendation made last year by the governor's Marcellus Shale Advisory Commission. Meanwhile, the House last week gave final approval to a bill allowing for gas drilling at the 14 state-owned universities and other unexplored state property and sent it to the governor for signing. The measure, sponsored by Sen. Don White, R-41, Indiana, allows for drilling for coal, oil and limestone, too. A half-dozen of the state-owned universities are in the Shale formation. Penn State University and its branch campuses aren't affected.

## **DEQ: no evidence of harm from Hopewell pollution cloud**

**RICHMOND TIMES-DISPATCH** HOPEWELL, Va. -- There is no evidence that a yellow-orange plume that rose over Honeywell's Hopewell plant on Monday endangered the public, state officials say. "We don't have any indication of any problems from it," said Bill Hayden, a spokesman for the state Department of Environmental Quality. A pollution release occurred at the chemical plant about 4 p.m. The plume contained pollutants including nitrogen oxide and nitrogen dioxide, said Honeywell spokesman John McCarthy. "Honeywell is currently conducting an investigation that includes a thorough look at our process controls," McCarthy said. Nitrogen oxide is colorless, while nitrogen dioxide has an orange-brown color, said William Porterfield, a retired Hampden-Sydney College chemistry professor. That indicates the plume was mostly nitrogen dioxide, the more serious of the two pollutants, he said. "If you can see the yellow color, you've got a bad situation," Porterfield said. He added, however, "I'm guessing that if no one in Hopewell thought they smelled it, then it's not a problem." In sufficient concentrations, nitrogen dioxide can harm the respiratory system, among other effects, experts say. But the Hopewell chemicals quickly dissipated in the air, the DEQ's Hayden said. The release was not a pollution violation because it involved a mechanical problem, not human error, and because Honeywell quickly reported it as required, Hayden said. Within the next two weeks, he said, Honeywell will report to the DEQ exactly what was released, how much and how any problems will be fixed.

## **Olson Wire Products fined for waste violations**

**BALTIMORE SUN** Olson Wire Products Co. has agreed to pay an \$80,000 fine to settle allegations it improperly stored hazardous wastes at its southwest Baltimore plant, the Environmental Protection Agency announced Tuesday. The agency cited Olson, which makes refrigerator racks and other steel-wire shelving, following a May 2011 inspection of its facility at 4100 Benson Ave. Inspectors found wastewater treatment sludge, waste from its electroplating operations and used aerosol cans stored there in apparent violation of federal hazardous-waste law and regulations, according to EPA. Among the alleged infractions: storing wastes for more than 90 days without a permit, failure to properly label or keep waste containers closed and offering to ship hazardous wastes offsite for disposal without required manifests and using unauthorized shippers.

## **Feds back research to stop Great Lakes invasions**

**ASSOCIATED PRESS** TRAVERSE CITY, Mich. - Federal grants will support stepped-up research into ways to prevent invasions of the Great Lakes by foreign animal and plant species, with special emphasis on refining techniques that detect their DNA in the water, officials said Tuesday. The U.S. Environmental Protection Agency said it was distributing \$8 million among 21 universities and nonprofit organizations for invasive species research studies. In addition to warding off future attacks, the projects will develop alarms to signal when invasions are starting and new methods of controlling those already under way. "These projects will improve the environmental health and economic vitality of the world's largest freshwater system," said Susan Hedman, chief of EPA's regional office in Chicago. The funding is coming from the Great Lakes Restoration Initiative, a federal program meant to make progress on the lakes' biggest ecological challenges, such as toxic pollution, wildlife habitat loss and harmful algae blooms. More than 180 exotic fish, mollusks, bacteria and other species have made their way to the lakes, many in ballast water of oceangoing cargo ships that began visiting the region's ports after the St. Lawrence Seaway opened in 1959. They've caused hundreds of millions of dollars' worth of economic losses while upending native ecosystems. Scientists believe dozens of other species are waiting in the wings, including Asian carp, plankton-gobbling fish that have infested the Mississippi River and its tributaries and are bearing down on Lake Michigan.

## **Snow may be heavier this winter for Northeast**

**USA TODAY** Following a nearly snow-free winter last year, the 50 million Americans who live in the Northeast and Mid-Atlantic should see a snowier-than-average winter, according to a forecast released Wednesday

by AccuWeather. "The Northeast and mid-Atlantic will have more snow than they did last year," AccuWeather forecaster Paul Pastelok said. Cities such as New York, Philadelphia, Baltimore, Washington and Charlotte are among those that should receive more snow than usual, he said. Meanwhile, in the drought-scorched central and northern Plains and upper Midwest, the news isn't good: Below-average snowfall and above-average temperatures are forecast. According to the latest U.S. Drought Monitor, 98% of Wyoming, Colorado, North Dakota, South Dakota, Nebraska and Kansas are enduring drought conditions. The dryness will extend into the Northwest, adding to drought worries there: "I have big concerns about the Northwest," Pastelok said. "We have already set up the stage here at the start of fall with wildfires and drought conditions. The dryness will extend into the Northwest, adding to drought worries there: "I have big concerns about the Northwest," Pastelok said. "We have already set up the stage here at the start of fall with wildfires and drought conditions. "With the exception of a break with some rain and snow during October and early November, it will be drier than normal through the winter season and maybe even longer as we head toward spring." A weak El Niño climate pattern is expected to be one of the major drivers of the USA's weather this winter, AccuWeather meteorologist Mark Paquette says. While earlier forecasts said El Niño (a warming of Pacific Ocean water that affects weather around the world) would be moderately strong, it's now expected to be weak, Paquette said. One of the hallmarks of an El Niño winter is a stormy weather pattern for the southern tier of the USA, expected this year. Across the South, the rain will be mostly welcome, but severe weather could be an issue."Severe weather is going to be a problem again this winter season," Pastelok said. "I think this year it's going to be early on, late November and December, and more confined to the north-central Gulf Coast states, northern Florida and parts of the Southeast."

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## PENNSYLVANIA

### ***PHILADELPHIA INQUIRER***

Steelworkers slap clean air group lawsuit over Sunoco refinery The United Steelworkers, which represents refinery workers, weighed in Monday in opposition to the Clean Air Council's legal challenge of a regulatory compromise that cleared the way for Philadelphia Energy Solutions to take over operations at Sunoco's Philadelphia refinery last month. Steelworkers International president Leo W. Gerard said in a statement the union disagreed with the Clean Air Council's appeal of a Pennsylvania Department of Environmental Protection compromise that allows the refinery to emit more pollution during its initial years of operation. "This agreement will mean nearly 1,000 good-paying jobs at the plant, as well as thousands more jobs created or saved in the community and along the supply chain," Gerard said in a statement. He also said that over the long term the arrangement will mean cleaner overall emissions through the refinery's use of lower-sulfur crude oil and the use of natural gas for power generation.

Water in Our World | Calendar - Philly Fairmount Water Works features a series of water-themed exhibits designed to educate viewers about how people and the environment interact. Some of the highlights include a working model of the Water Works, an animated fiber optic display about the water cycle, a live video display focusing on migrating fish and more.

### ***HAZELTON STANDARD SPEAKER***

State rep. authors bill for health and safety panel on natural gas drilling HARRISBURG - A Senate Republican leader is drafting a bill to create a panel to address public health and safety issues stemming from drilling operations in the Marcellus Shale region. President Pro Tempore Joseph Scarnati, R-25, Jefferson County, wants a panel that includes doctors, scientists, academics and gas industry leaders to study public health data and scientific findings related to drilling. In a memo to colleagues, Scarnati is proposing a nine-member panel including the state health secretary and appointees named by Gov. Tom Corbett and legislative leaders. Creating the health panel will correct a deficiency with the state drilling impact fee law, said Sen. John Yudichak, D-14, Nanticoke, ranking Democrat on the Senate Environmental Resources and Energy Committee. As a companion piece, Yudichak is seeking action on a bill he sponsored to earmark \$2 million in impact fees annually for a state population health

registry. The public won't be reassured about drilling until independent-funded public research is available, he said. Currently, Scarnati's proposal would give those with appointive power discretion to name panelists with expertise in such high-profile health issues as the protection of drinking water, said top Scarnati aide Drew Crompton. Scarnati's proposal would carry out a recommendation made last year by the governor's Marcellus Shale Advisory Commission. Meanwhile, the House last week gave final approval to a bill allowing for gas drilling at the 14 state-owned universities and other unexplored state property and sent it to the governor for signing. The measure, sponsored by Sen. Don White, R-41, Indiana, allows for drilling for coal, oil and limestone, too. A half-dozen of the state-owned universities are in the Shale formation. Penn State University and its branch campuses aren't affected.

### **ERIE TIMES NEWS**

Friends of Drake Well honor oil region preservationist TITUSVILLE -- A Franklin man has been honored by the Friends of Drake Well Inc. for his role in preserving petroleum region history. Elton DeLong Jr. was presented the 2012 John A. Mather Award for helping to maintain the region's oldest producing oil well during the organization's annual meeting Sept. 27. The well, known as McClintock Well 1, was drilled in 1861 and now is owned by the Pennsylvania Historic and Museum Commission. DeLong processes brine produced during pumping of the well at no charge. He is plant manager at Pennsylvania Brine Treatment Inc. in Franklin.

'Near-normal' snowfall predicted for Great Lakes snowbelt After a dry and mild winter, near-normal lake effect snowfall will resume in the Great Lakes region when the temperatures drop, predicts AccuWeather.com. Lake Erie's warm temperature will "set the stage for the lake-effect snow machine to turn on as any cold waves arrive," said AccuWeather. The East Coast, particularly the Interstate 95 corridor, will experience an above-average amount of snow this upcoming winter. The Midwest, however, will have spotty snowfall and mild temperatures. For the complete winter forecast, visit [www.accuweather.com](http://www.accuweather.com).

Beavers gnaw at Erie trees Several trees in a park along Erie's bayfront have fallen victim to beavers, with one tree found toppled Tuesday and two others damaged.

### **CANON-McMILLAN PATCH**

Marcellus Shale Tax Credit Offered By White Defeated 'Today we blew a golden opportunity to procure jobs for PA workers in the energy industry. Where are our priorities?' state Rep. Jesse White, D-Cecil said Tuesday. A Washington County lawmaker offered an amendment to a bill Tuesday that would have provided \$25 million in tax credits to Marcellus Shale companies that hired 75 percent of its workforce from Pennsylvania—but it was voted down. State Rep. Jesse White, D-Cecil, said Tuesday that the amendment, "which would have shown a real commitment to creating energy industry jobs for Pennsylvanians" was defeated along a party line procedural vote of 105-86. "So we can give \$1.6 billion in tax credits to the foreign corporations in the shale industry, but can't do a \$2,500 per job credit for people who actually live, work and pay taxes here?" White asked on his Facebook page Tuesday. "Today we blew a golden opportunity to procure jobs for PA workers in the energy industry. Where are our priorities?" White offered similar legislation in 2010, which died due to lack of legislative action.

### **WJAC-TV JOHNSTOWN**

Interactive maps show well locations, which companies have permits ELK COUNTY, Pa. — In recent years Elk County has seen its fair share of activity from the Marcellus Shale industry. In an effort to help provide more information to the public about ongoing drilling, or permits that have been obtained, officials in Elk County have created interactive maps. Jim Abbey, the Geographic Information Systems director for the county has been using software to create the maps. "The reason why we did it is because of the Marcellus Shale industry and the boom with the natural gas. People are always asking questions. You know, you hear stuff on the news, the hype and things like that. So we thought, why don't we put some maps out so people could see the potential location for where the permits are being issued. Maybe it is in their proximity, maybe it is not but it at least lets them know

there it is," said Abbey. Abbey created the maps about a year ago and said that he updates them regularly. He is hoping that not only residents in Elk County will find a use for the county maps, but those in other areas too. "I thought that would be a very good way of giving the citizens of Elk County and else where an opportunity to look at it," he said. By using the maps you can see where new and old wells are in the county. Viewers can also use navigational tools to determine how close one might live to a well, or where a permit has been obtained. There are even features where you can see what watersheds are in your municipality. "I want people to want to play around a little bit. Take a look at things and come up with their own conclusions or maybe just share your curiosity," he said. To look at the interactive maps [Click Here](#) then scroll down to Elk County Permitted Oil & Gas wells and click Interactive Version.

Decline in Carbon Emissions Unlikely to Continue Recent headlines have celebrated the reduction in U.S. greenhouse gas emissions. But a new report out today by the nonprofit research center Climate Central says the decline will be short-lived unless major changes occur in the energy economy.

### ***STATE IMPACT PENNSYLVANIA***

Expanded Power Line Will Cut Through Delaware Water Gap The National Park Service has approved a controversial plan to expand a power line that will run through the Delaware Water Gap National Recreation Area. The Susquehanna-Roseland line will increase capacity for the East Coast, which utilities say is needed to prevent black-outs like the one experienced in 2003. Environmentalists have fought the project, saying it will both damage ecosystems and result in higher electricity prices. The [Newark Star-Ledger](#) has more:

### ***ASSOCIATED PRESS (Pa.)***

Range announces PA Marcellus pipeline, export deals PITTSBURGH (AP) — A gas drilling company has announced deals to ship natural gas products from western Pennsylvania to a Philadelphia-area terminal, and to overseas customers. Range Resources, based in Fort Worth, Texas, said in a release Wednesday that it has signed a 15-year agreement with Sunoco Logistics Partners, L.P. to ship 20,000 barrels per day of propane and the same amount of ethane to a terminal at the former Marcus Hook refinery site, starting in late 2014. The products were extracted from the Marcellus Shale formation, which stretches across much of the state, deep below the surface, and contains massive amounts of natural gas. Ethane is a form of gas that can be processed into other products such as plastics. Range also gets access to large propane storage tanks at the facility. Range also announced a 15-year deal with INEOS Europe AG to export 10,000 barrels per day of ethane, starting in 2015. Sunoco said it plans to build new facilities at Marcus Hook to process, store and distribute propane and ethane to local, regional and international markets. The company said it expects to invest more than \$600 million in the projects and predicted that up to 450 people could be employed over several years. Sunoco shut down the Marcus Hook refinery in February, laying off about 490 employees. One energy expert said the move makes sense, since low domestic prices for natural gas have squeezed energy company profits. Kenneth Medlock, a professor of energy and resource economics at Rice University in Houston, said bountiful U.S. production of ethane, propane and butane — which are all types of natural gas — is creating a glut in markets and depressing prices. The same thing has happened with so-called "dry" natural gas. "The only way to get out of it is the export market," Medlock said. Jeff Ventura, Range's president, said the project will help provide the northeastern United States with heating fuel and open global markets for ethane. Gov. Tom Corbett hailed the agreements, saying they will create jobs across Pennsylvania.

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## **WASHINGTON, D.C.**

### ***WASHINGTON EXAMINER***

EPA refuses to talk about think tank suit demanding 'secret' emails Environmental Protection Agency officials are keeping mum today about a potential landmine of a lawsuit that claims senior executives there have used secret email accounts to conduct public business without being subject to the Freedom of Information Act. The suit was

filed last week by the Competitive Enterprise Institute's senior fellow, Christopher C. Horner, Hans Bader, CEI's counsel for special projects, and Sam Kazman, the conservative think tank's general counsel. In the suit, CEI asks the U.S. District Court for the District of Columbia to order EPA to produce "certain records pertaining to 'secondary,' non-public email accounts for EPA administrators, the existence of which accounts Plaintiff discovered in an Agency document obtained under a previous FOIA request." According to the CEI suit, the internal EPA memo, which was referenced in a Government Accountability Office report in 2008, described the secondary accounts as known only to "few EPA staff members, usually only high-level senior staff." Federal law requires all government employees to use only official email accounts. If they do use a private account to do official business, however, they are required to make that available to their employing department or agency. Many such officials would be either presidential appointees or politically appointed members of the federal civil service system's Senior Executive Service. The agency's current boss, Administrator Lisa Jackson, was appointed by President Obama. A spokesman for EPA declined to comment specifically on the CEI suit, offering only a statement on behalf of the agency: "EPA is strongly committed to transparency and strictly complies with open government laws such as the Freedom of Information Act. We will review this lawsuit closely and respond as appropriate."

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## DELAWARE

### **WILMINGTON NEWS JOURNAL**

Hoping to hook kids on nature Many of Delaware's children spend as little as a half-hour each week playing outside, a statistic that prompted state officials to launch an initiative to get youngsters outside and connected to nature. The gap isn't the fault of kids, according to the report. Schools offer fewer field trips than 10 years ago, teachers get little training in environmental education and there is limited access to some of the state's largest recreational areas, its school yards, according to the Children in Nature/No Child Left Inside Task Force report. "We share a desire to change the lives of children," Gov. Jack Markell said. "They need outdoor activity and nature in their lives. ... This collaboration provides a plan that can influence our children's long-term well-being." Among the concerns is that children who don't have a connection with the outdoors don't perform as well in school and often suffer from childhood obesity.

### **DELAWARE CAPE GAZETTE**

Solar farm receives Sussex council approval Georgetown — A conditional-use application to pave the way for the largest solar project in Sussex County received approval from Sussex County Council, with one change. On the recommendation of Councilwoman Joan Deaver, D-Rehoboth Beach, and Councilman George Cole, R-Ocean View, a landscaping plan was added to six conditions placed on the Delaware Electric Cooperative Inc. project by county planning and zoning commissioners. "It is not a residential look; I'm concerned for folks who live near there," Deaver said. County attorney J. Everett Moore said it was within council's purview to require landscaping to screen the solar farm from nearby houses. The final site plan for the solar farm must be approved by the planning and zoning commission before any work can commence on the project. Like all other Delaware utilities, by 2025, Delaware Electric Cooperative must acquire 25 percent of its overall energy demand from renewable sources. In a move toward compliance with state law, the Greenwood-based cooperative will construct a 40-acre, 7-megawatt solar energy farm about one mile south of Georgetown off East Trap Pond Road. Planning and zoning recommended approval of the project at its Aug. 9 meeting. When the two-phase project is completed, the solar farm will generate enough electricity to power 870 homes, said co-op attorney Terry Jaywork during an Aug. 21 council hearing. In Phase 1, to be completed within the next four to six months, 16,000 solar panels will be constructed on 20 acres, followed within five years by Phase 2, with another 12,000 panels on the remaining 20 acres. The 28,000-panel site would make it the largest solar farm in Sussex County.

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# WEST VIRGINIA

## **CHARLESTON GAZETTE**

Federal judge upholds Blair Mountain Battlefield removal CHARLESTON, W.Va. -- A federal judge on Tuesday upheld a decision to remove Blair Mountain Battlefield, the scene of the largest armed confrontation in U.S. labor history, from the National Register of Historic Places. The decision to remove Blair Mountain, initially made by the keeper of the National Register of Historic Places in 2009, was upheld Tuesday by a judge with U.S. District Court for the District of Columbia. More than 90 years ago -- between Aug. 25 and Sept. 2, 1921 -- more than 10,000 union coal miners fought with armed coal company guards along the Blair Mountain Ridge near the Logan-Boone county border. It ended only after federal troops intervened. The National Park Service added Blair Mountain to its National Register of Historic Places in March 2009. Nine months later, in December, the NPS reversed its decision after a dispute about who owns the properties on Blair Mountain. Several labor and environmental organizations filed a lawsuit on Sept. 9, 2010, seeking to reverse the decision. They included the Sierra Club, Ohio Valley Environmental Coalition, Friends of Blair Mountain, West Virginia Labor History Association, National Trust for Historic Preservation in the United States and the West Virginia Highlands Conservancy.

Blog: Fact check: Sorting out the coal jobs rhetoric We've been writing in the Gazette and on this blog for more than a year now to try to explain what's happened under the Obama administration regarding coal jobs here in West Virginia and across the Appalachian region (see [here](#), [here](#), [here](#) and [here](#), just for example). Despite our efforts, the rhetoric about coal-job losses continues, with some candidates, media personalities, and political leaders throwing around some interesting figures. For example, Republican gubernatorial candidate Bill Maloney has gone as far as saying that "upwards of 3,000 jobs have been lost this year alone" in West Virginia. Hoppy Kercheval over at MetroNews [has used the same figure](#). Rep. Shelley Moore Capito, R-W.Va., has used a figure of "over 2,000" jobs lost. We've tried to rely at the Gazette on the latest U.S. Mine Safety and Health Administration quarterly figures, believing that they are the most accurate and up-to-date numbers available that show the full coal employment picture — taking into account both job losses from layoffs and mine closures, and jobs added elsewhere in the coal industry.

Blog: MSHA report provides new glimpse of Alpha belt fire Remember the conveyor belt fire at the Alpha Natural Resources Road Fork 51 Mine that prompted a major federal inspection sweep at Alpha's mines? We had quite a bit of coverage of it [here](#), [here](#), [here](#) and [here](#). One thing that remained a little fuzzy from what we've previously been able to learn is exactly what happened as far as the evacuation of the mine. U.S. Mine Safety and Health Administration officials cited the company, saying that mine management had not immediately evacuated workers. Alpha vigorously disagreed with that assessment, telling Howard Berkes at NPR:

Blog: More double-talk from coalfield candidates It's great that the folks over at the Daily Mail are [video-streaming](#) and [live-blogging](#) their editorial board meetings with candidates this election. Seriously. The danger, of course, is that doing so reveals the lack of any strong questioning of the candidates — and certainly no calling out candidates for ridiculously false statements. Take for instance the failure of anyone during the meeting or in the coverage afterward to challenge Republican candidate John Raese's claims that FirstEnergy was closing its W.H. Sammis power plant (located across the Ohio River from New Cumberland, W.Va.) because of new federal Environmental Protection Agency air pollution regulations. It takes about 20 seconds and access to Google to see this isn't true. Here's what the [Cleveland Plain Dealer explained](#) about this situation in a mid-August article:

Blog: Tomblin campaign: Mine safety bill 'tough, but fair' We've written before here on Coal Tattoo about Republican Bill Maloney's [efforts to lobby the federal Mine Safety and Health Administration against tougher new regulations on his own business](#). And now, Gov. Earl Ray Tomblin's re-election campaign is using that lobby effort in an ad against Maloney.



### **ASSOCIATED PRESS (W. Va.)**

W.Va. DEP allows drilling at well fire site SYCAMORE, W.Va. -- State regulators say Antero Resources can resume drilling at a natural gas well where a fire injured three workers in August. Department of Environmental spokesman Tom Aluisse says company must give the agency more data on the site and gather data on five residential water wells within 2,000 feet of the gas well. Methane gas several hundred feet underground ignited Aug. 17. That triggered a fire on the floor of the drilling rig at Anterio's Cottrill No. 3 well in Harrison County. Aluisse tells West Virginia Virginia Public Broadcasting that the ignition source hasn't been determined. The DEP cited Antero for failure to maintain well control at its Southern pad near Sycamore. The company will have to bring in a new rig before it can resume horizontal drilling.

Mixed bag of wildlife food to affect W.Va. hunting CHARLESTON, W.Va. -- A mixed bag of wildlife food is expected to affect where hunters in West Virginia will have success. An annual mast survey by the Division of Natural Resources shows that cherries, acorns, chestnuts and other mast will be abundant in some areas and scarce in others. Mast production is down in high-elevation areas such as Randolph, Greenbrier and Nicholas counties. But mast is abundant in the southwestern counties, said Curtis Taylor, chief of the DNR's wildlife resources section. "It's just a hodgepodge across the state. It can be ridge top to ridge top, depending on where you're at," Taylor told the Charleston Daily Mail. "Your favorite hunting hole might not have anything in it this year. On the other hand, your favorite hunting hole might be loaded. "There's no substitute for getting out there and looking." Weather is a major cause of the wide range in mast production this year. Frost, which can reduce the amount of fruit that oak and hickory trees produce, occurred frequently in some areas. Other areas saw little frost. Some areas experienced extended periods of rainfall that interfered with pollination.

W.Va. state parks preparing for leaf peepers SOUTH CHARLESTON, W.Va. -- West Virginia state parks are getting ready for visitors who flock to the heavily forested areas to enjoy the fall colors. State Parks Programming Coordinator Sissie Summers says several parks are offering discounts for overnight stays in cabins, lodges and campgrounds. Packages and special rates are posted on [www.wvstateparks.com](http://www.wvstateparks.com) as available. Because of the state's variety of elevations, leaf peepers are advised that colors will peak at different times and they should check with individual parks about the best time to enjoying the fall foliage. Babcock State Park Superintendent Kevin Cochran says the leaves change early there because of the high elevation. He says a lot of people come to Babcock early, then head down to the Kanawha Valley later to enjoy the colors there.

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## MARYLAND

### **BALTIMORE SUN**

Olson Wire Products fined for waste violations Olson Wire Products Co. has agreed to pay an \$80,000 fine to settle allegations it improperly stored hazardous wastes at its southwest Baltimore plant, the Environmental Protection Agency announced Tuesday. The agency cited Olson, which makes refrigerator racks and other steel-wire shelving, following a May 2011 inspection of its facility at 4100 Benson Ave. Inspectors found wastewater treatment sludge, waste from its electroplating operations and used aerosol cans stored there in apparent violation of federal hazardous-waste law and regulations, according to EPA. Among the alleged infractions: storing wastes for more than 90 days without a permit, failure to properly label or keep waste containers closed and offering to ship hazardous wastes offsite for disposal without required manifests and using unauthorized shippers.

Trees scalped, set to come down on Charles Street Critics decry greenery loss in \$28 million safety and "beautification" project. The downtown tree removal for the Grand Prix was nothing, compared with what the city is doing now along Charles Street by the Johns Hopkins University Homewood campus. Yet only a few voices have been raised in protest.

Bank builds wall of (living) green More than 500 planters grace PNC's downtown headquarters. For some banks, green is more than just money.

### **MARYLAND GAZETTE**

Chesapeake Bay 'pollution diet' heads to court The Chesapeake Bay and its “pollution diet” will be the center of attention in a Pennsylvania courtroom this week. The American Farm Bureau and a half-dozen national agricultural groups have sued to block the pollution diet, the government’s latest strategy for restoring the health of the Chesapeake Bay. The National Association of Home Builders is a party to the lawsuit as well. The farmers and home builders argue that the pollution diet was enacted without proper notice, is based on flawed computer models and isn’t allowed under the federal Clean Water Act. The U.S. Environmental Protection Agency has defended the policy in court filings. Both sides have asked U.S. District Judge Sylvia Rambo to rule without holding a trial, a practice known as summary judgment. Rambo will hear oral arguments in Harrisburg on Thursday. “We want to ensure the progress that’s being made stays intact and we keep moving forward,” said Kim Coble, a vice president of the Chesapeake Bay Foundation, which supports the pollution diet and has been granted “intervenor” status as a stakeholder in the case. The bay foundation and the other intervenors also will be allowed to state their case Thursday. Coble said that while the farmers’ arguments on paper are about how the pollution diet was created, their true motivation is to stop the bay effort so that the pollution diet — officially called a “total maximum daily load,” or “TMDL” — isn’t replicated in other parts of the country. “Their concern is this could be the camel’s nose under the tent. This could be precedent-setting for other waterways,” Coble said. An American Farm Bureau spokeswoman in Washington, D.C. did not respond to requests for comment. David Sternberg, the EPA’s regional spokesman in Philadelphia, declined to comment because the case is ongoing. In court papers, however, the EPA has defended its public comment process and the development of the computer models used in the pollution diet. The agency argues that it does have authority to create the pollution diet under the Clean Water Act, and is required to do so under previous court settlements. The pollution diet was finished at the end of 2010, replacing voluntary cleanup programs. The pollution diet sets maximum levels of pollution that can be allowed in the Chesapeake Bay’s vast watershed: 185.9 million pounds of nitrogen, 12.5 million pounds of phosphorus and 6.45 billion pounds of sediment per year. The diet further divides the pollution amounts by state and requires each state to develop cleanup plans explaining how they will reduce pollution.

### **EASTON STAR-DEMOCRAT**

Watermen uncertain about this year's oyster harvest EASTON - With crab season wrapping up and oyster season under way as of Monday some watermen are expressing concerns over how successful this year's season will be. Many mostly are concerned with the amount of area the watermen have been given catch oysters in, which is a reduction from past years. Larry Simns, president of the Maryland Watermen's Association, said most of the "bottom" they had to work with has been taken away and they weren't left with much, oystering in areas of Tangier Sound, parts of St. Mary's County, a few areas in the lower Chesapeake Bay and the Choptank River. "They're not very good areas," Simns said, who added that there aren't many oysters left on the bars they're allowed to harvest. Much of the decline of the oyster and sea life population has been credited to Dermo disease. Simns said this is specifically a problem near sewage treatment plants. He said water pollution from sewage treatment plants spreads around diseases that wiped out many oysters, crabs and fish. "Water quality has everything to do with reproduction," said Bunky Chance, president of the Talbot County Watermen's Association. "That's where you're going to make or break it." Chance said to have a good oyster season, the water has got to be clean first. He said the Watermen's Association tried to save future harvest numbers throughout summer with a process called shell reclamation, where shells are taken from non-productive oyster bars and put into productive oyster bars so they can expand and continue to prosper.

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# VIRGINIA

## ***RICHMOND TIMES-DISPATCH***

DEQ: no evidence of harm from Hopewell pollution cloud HOPEWELL, Va. -- There is no evidence that a yellow-orange plume that rose over Honeywell's Hopewell plant on Monday endangered the public, state officials say. "We don't have any indication of any problems from it," said Bill Hayden, a spokesman for the state Department of Environmental Quality. A pollution release occurred at the chemical plant about 4 p.m. The plume contained pollutants including nitrogen oxide and nitrogen dioxide, said Honeywell spokesman John McCarthy. "Honeywell is currently conducting an investigation that includes a thorough look at our process controls," McCarthy said. Nitrogen oxide is colorless, while nitrogen dioxide has an orange-brown color, said William Porterfield, a retired Hampden-Sydney College chemistry professor. That indicates the plume was mostly nitrogen dioxide, the more serious of the two pollutants, he said. "If you can see the yellow color, you've got a bad situation," Porterfield said. He added, however, "I'm guessing that if no one in Hopewell thought they smelled it, then it's not a problem." In sufficient concentrations, nitrogen dioxide can harm the respiratory system, among other effects, experts say. But the Hopewell chemicals quickly dissipated in the air, the DEQ's Hayden said. The release was not a pollution violation because it involved a mechanical problem, not human error, and because Honeywell quickly reported it as required, Hayden said. Within the next two weeks, he said, Honeywell will report to the DEQ exactly what was released, how much and how any problems will be fixed.

State progresses on converting fleet to alternative fuels At the outset of his two-day energy conference in Richmond, Gov. Bob McDonnell on Tuesday announced developments in his push to convert the state vehicle fleet to alternative fuels. The state has entered into contracts with two fuel companies, and McDonnell is asking state agencies to prepare a plan on how to begin converting its vehicles. "I'm delighted to say that we are the first state in the nation to take this step in converting our fleet to natural gas," McDonnell said in a news conference at the Greater Richmond Convention Center, where the Governor's Conference on Energy is being held Tuesday through Thursday. Blossman Gas and Clean Energy Fuels Corp. — chosen from a pool of 14 companies — secured contracts with the state to provide compressed natural gas and liquid propane fuel, refueling infrastructure, vehicle conversions and training. Clean Energy will install six compressed natural-gas filling stations and Blossman Gas will develop seven propane stations, according to McDonnell's office. The fueling stations will also be available for use by local governments, businesses and drivers. Virginia's fleet includes about 15,500 vehicles. "To begin this process now, of having them go to alternative fuels, (is) good for the taxpayers, primarily; it's good for the environment, and it's going to be good for creating new competitive markets in the private sector as we expand the number of refueling stations as well," McDonnell said. The fleet vehicles mainly run on diesel, gas and ethanol blends. Making the switch will help reduce reliance on foreign oil and increase use of American energy resources, he said. The state's negotiated price for a gallon of gas for state vehicles is \$3.18, McDonnell said. The equivalent for compressed natural gas is \$1.81 per gallon and \$1.61 for liquid propane gas. Clean Energy recently opened its first compressed natural-gas public-access station in Virginia on Maury Street in Richmond, and the company says it expects to open another station adjacent to Washington Dulles International Airport.

## ***NORFOLK VIRGINIAN PILOT***

Marine science institute gets \$1M to save wetlands GLOUCESTER POINT --The Virginia Institute of Marine Science received nearly \$1 million in federal money Tuesday to try to help reduce the loss of wetlands across the state, especially in cities and counties west of Interstate 95, in so-called headwater areas. Headwaters are the sensitive zones where rivers and streams begin, and their protection is considered key to saving the Chesapeake Bay. VIMS scientists will use the grant money over the next three years to develop tools and better educate local government planners about the need to safeguard wetlands as much as possible against proposed development projects and when making other land-use decisions. The state has lost roughly half its wetlands since World War II, mostly to the development of homes, roads and shopping malls. Wetlands soak up pollutants, reduce flooding and provide wildlife habitat, among other ecological benefits. The grant was awarded Tuesday at a ceremony at VIMS,

in Gloucester Point on the York River, by the U.S. Environmental Protection Agency.

State vehicles set for a fuel conversion RICHMOND -- With the stroke of his pen, Gov. Bob McDonnell on Tuesday made Virginia the first state to formalize plans to convert its entire fleet of roughly 15,500 vehicles to run on cleaner, cheaper alternative fuels. Kicking off his three-day energy conference, the governor announced agreements with two companies to power vehicles with propane or natural gas. He also signed a multistate compact on acquiring alternative-fuel vehicles to replenish the state's fleet over time. McDonnell billed the move as a long-term savings for Virginia. The state now spends \$3.18 per gallon of gasoline and \$3.35 for diesel under negotiated pricing. Virginia would pay \$1.81 for a comparable amount of natural gas and \$1.61 for propane under the new arrangement. "It's good for the taxpayers, primarily," he said at a news conference with Oklahoma Gov. Mary Fallin, a Republican leading a charge for alternative-fuel fleets. What's more, McDonnell added, "It's good for the environment, and it's going to be good for creating new competitive markets for the private sector as we expand the number of refueling stations, as well." By taking that step, Virginia is going beyond current mandates for states to switch most of their fleets to alternative fuels. "This is a wholesale transition," said Alleyn Harned of Virginia Clean Cities, which supports the effort. "Of course, it'll take time. But the planning process is in place to make this happen." Virginia is getting a jump start on other states, which must announce by month's end how they'll convert 75 percent of their fleets to alternative fuels as required under the federal Energy Policy Act. A state law enacted in 2011 also paved the way for this development. Before any fiscal benefits are realized, however, Virginia must absorb the \$3 million to \$4 million in estimated costs for fleet conversion.

### **WILLIAMSBURG-YORKTOWN DAILY**

VIMS Receives EPA Grant to Help Protect Bay A grant from the Environmental Protection Agency will help the Virginia Institute of Marine Science assist local government efforts to protect the Chesapeake Bay watershed. The three-year, \$999,640 grant was announced Tuesday during an EPA press conference at the VIMS campus in Gloucester Point. It will allow VIMS researchers to create planning tools that can help leaders in the Chesapeake Bay watershed make land-use decisions that will prevent pollutants and excess nutrients from entering the Bay's tributaries. During his presentation of the award, EPA Regional Administrator Shawn M. Garvin said, "Through this grant, VIMS will work to reduce wetland loss in Virginia, which will help the state's economy, as well as its environment." VIMS Director of the Center for Coastal Resources Management Carl Hershner will lead the EPA project, which he said will help VIMS develop resource-management plans providing guidance for protecting wetlands in light of "existing land use and development pressures." Hershner said VIMS aims to create planning tools specific to localities throughout the state to help local planners, regulators and residents. The project expands on VIMS' previous contributions to Virginia's EPA-approved Wetland Program Plan. Protection and regulation of the nation's wetlands is mandated under the Clean Water Act of 1972.

### **CHARLOTTESVILLE DAILY PROGRESS**

We need cleaner source of energy I can't truly relate to the tragic loss the people of Appalachia face every day, but it is clear to me that mountaintop removal coal mining needs to end because of the dramatic public health, economic and environmental impacts it causes. To date, more than 500 mountains have been leveled, and nearly 2,000 miles of precious Appalachian headwater streams have been buried or polluted by mountaintop removal. What does this have to do with residents of Charlottesville? There are six coal plants directly connected to mountaintop removal on the grid serving Charlottesville, according to Appalachian Voices and ilovemountains.org. Significant economic impacts result from mountaintop removal mining because of the reliance on machinery instead of miners. The fact that relatively few people are hired to work in the mines contributes to the growing poverty in the Appalachian region. Cancer rates are significantly higher than the rest of America, in part due to arsenic levels in the water as high as 130 times what the U.S. Environmental Protection Agency deems safe to drink. Clearly we need to transition to a cleaner source of energy. The Clean Water Protection Act is currently pending in Congress, and it would constrain this destructive form of coal mining and protect Appalachian communities. I urge you to call your representative, Robert Hurt, and express the importance of supporting this bill that will breathe life back into the Appalachian communities.

## **DANVILLE REGISTER AND BEE**

At uranium forum, a lively discussion What ifs dominated the discussion at Tuesday's uranium mining forum at the Institute for Advanced Learning and Research. The Danville Pittsylvania County Chamber of Commerce and the Sorensen Institute for Political Leadership co-sponsored the event, moderated by the Sorensen Institute's executive director, Bob Gibson. Panelists included Patrick Wales, project manager of Virginia Uranium Inc.; Stephen Fuller, director of the Center for Regional Analysis in George Mason University's School of Public Policy; Jay Poole, spokesman for the Alliance for Progress in Southern Virginia; and Bob Burnley, an adviser to the Alliance. Burnley spoke to the inevitability of something going wrong, referring to Chmura study, which states "Even under the best of circumstances, Chmura judges some adverse health effects and environmental contamination is likely." As examples, he cited contamination incidents in New Mexico and in Eliot Lake in Canada. "There seems to be the idea that regulations will protect us," Burnley said. "Are they there? Sure. Do they work? Not always." He said the idea of mining in the area frightens him. "Are the risks manageable? The answer is no," he said.

## **PETERSBURG PROGRESS INDEX**

Honeywell investigates chemical release HOPEWELL - Honeywell continues to investigate the accidental release of a massive cloud of nitrogen oxide (NOx) into the air over their Hopewell plant Monday afternoon. "Honeywell is currently conducting an investigation that includes a thorough look at our process controls that moderate NOx emissions to ensure they function correctly and identify any improvements that may be needed," said company spokesperson John McCarthy. At about 4 p.m. on Monday, the mustard yellow cloud formed over the facility, prompting Honeywell to activate its emergency response measures and notify local emergency responders. More than 600 workers are employed at Honeywell in Hopewell, but an evacuation was not necessary, McCarthy said. "We have a procedure called 'shelter-in-place' which tells employees to remain at their work station," McCarthy said, adding that there were no injuries. The facility quickly returned to normal operating conditions. NOx is generated from the plant's manufacturing process and is typically emitted within levels permitted by federal and state regulations, McCarthy said. "The cloud was pretty big. I'm not sure if this exceeded what we are allowed to emit, but this will be determined by our investigation," he said. McCarthy also said that authorities like the Department of Environmental Quality were informed as part of the company's emergency response. Hopewell Police Chief John Keohane said that emergency dispatch received an unusually high volume of calls between 4:15 and 6:30 p.m. on Monday. "People simply wanted to know if the emission was harmful," he said. NOx is a family of seven compounds but NO2 is the most common, according to the Environmental Protection Agency. NO2 is a common pollutant released by automobiles and power plants that can form ground-level ozone and acid rain. NO2 can cause eye, nose, and throat irritation but is typically only harmful in very high doses, according to the EPA. Low levels can worsen symptoms of asthma, bronchitis or other lung impairments. The Hopewell facility, part of the Resins and Chemicals business of Honeywell Performance Materials and Technologies, is the world's largest single-site producer of caprolactam, the primary feedstock in the production of nylon polymer used in carpet fibers, plastics and films and ammonium sulfate fertilizer. The plant has operated continuously since it was built in 1928 by Allied Chemical, a predecessor to today's Honeywell. The plant is Virginia's second largest exporter, shipping caprolactam to China and other Asian countries and fertilizer to Latin America.

## **NEWPORT NEWS DAILY PRESS**

Environmentalists aim to stop Navy's 'target practice' Concerns about sinking old PCB-contaminated warships to build artificial reefs led to two federal policy changes this year that essentially scuttled the program. A pair of mothballed vessels from the dwindling James River ghost fleet were reefed this way in the last few years before the U.S. Maritime Administration, or MARAD, announced it would no longer consider using vessels built before 1985 or those within 24 months of "more expeditious" disposal. But environmentalists are in court to stop the U.S. Navy from using aging warships as targets during sinking exercises, or SINKEX, over similar concerns about cancer-causing polychlorinated biphenyls leaching into the sea. "It is odd, moving to this new MARAD policy where they say, 'We're not going to risk any ships that could potentially have PCBs,'" said Colby Self of the Seattle-based Basel Action Network (BAN). "And on the other hand sinking Navy ships as target practice."

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# MISCELLANEOUS

## ***BNA DAILY ENVIRONMENT REPORT***

U.S. Building Council Refines Proposed Update of LEED Ratings The U.S. Green Building Council includes incentives for disclosure of information about building materials as well as provisions to protect human health and increase energy efficiency in the latest draft of a proposed update of its green building rating system. The Leadership in Energy and Environmental Design updated program, called LEED v4, offers incentives for the use of products from manufacturers that are voluntarily transparent about how their product is made, USGBC spokeswoman Ashley Katz tells BNA. USGBC opens the latest version of LEED to comment

## ***DREDGING TODAY***

EPA Awards USD 1 Million to Protect Virginia's Wetlands The U.S. Environmental Protection Agency announced today that it is awarding a \$999,640 Wetlands Program Development Grant to the Virginia Institute of Marine Science (VIMS). VIMS provide critical services by conducting research and sound scientific advice concerning wetland resources to the Commonwealth. In collaboration with the Virginia Department of Environmental Quality, VIMS will work with state and local governments and federal agencies to develop strategies that will further reduce the loss of wetlands and aquatic ecosystems in Virginia. "Through this grant, the Virginia Institute of Marine Science will work to reduce wetland loss in Virginia which will help the state's economy as well as its environment," said EPA Regional Administrator Shawn M. Garvin. "Wetlands play a powerful role in our environment. They are often called nature's kidney for their ability to remove excess nutrients, toxic substances, and sediment from water that flows through them, helping to improve downstream water quality." Virginia continues to lose wetlands through both permitted activities and natural processes. This project's goal is to incorporate best available science into wetland resource management and ensure that decision-makers at all regulatory levels understand the importance of wetlands to healthy, functioning watersheds and particularly their importance in water quality.

## ***ASSOCIATED PRESS***

Feds back research to stop Great Lakes invasions TRAVERSE CITY, Mich. - Federal grants will support stepped-up research into ways to prevent invasions of the Great Lakes by foreign animal and plant species, with special emphasis on refining techniques that detect their DNA in the water, officials said Tuesday. The U.S. Environmental Protection Agency said it was distributing \$8 million among 21 universities and nonprofit organizations for invasive species research studies. In addition to warding off future attacks, the projects will develop alarms to signal when invasions are starting and new methods of controlling those already under way. "These projects will improve the environmental health and economic vitality of the world's largest freshwater system," said Susan Hedman, chief of EPA's regional office in Chicago. The funding is coming from the Great Lakes Restoration Initiative, a federal program meant to make progress on the lakes' biggest ecological challenges, such as toxic pollution, wildlife habitat loss and harmful algae blooms. More than 180 exotic fish, mollusks, bacteria and other species have made their way to the lakes, many in ballast water of oceangoing cargo ships that began visiting the region's ports after the St. Lawrence Seaway opened in 1959. They've caused hundreds of millions of dollars' worth of economic losses while upending native ecosystems. Scientists believe dozens of other species are waiting in the wings, including Asian carp, plankton-gobbling fish that have infested the Mississippi River and its tributaries and are bearing down on Lake Michigan.

Judge tosses BP fuel dealers' brand-name claims NEW ORLEANS - A federal judge on Tuesday dismissed claims by BP fuel stations and convenience stores that the 2010 oil spill in the Gulf of Mexico diminished the value of the oil giant's brand and cost them business. U.S. District Judge Carl Barbier's ruling says the dealers' claims against BP PLC aren't viable under the Oil Pollution Act of 1990, general maritime law or state law. Thomas Bleau, a

lawyer for BP dealers Tobatex Inc. and M.R.M. Energy Inc., argued during a hearing last month that consumer animosity and bungling by BP corporate executives after the nation's worst offshore spill severely damaged the company's brand name. Switching brands wasn't an option for the dealers because many are locked into long-term contracts, he told Barbier.

### **NEWARK STAR LEDGER**

Susquehanna-Roseland line gets final approval from National Park Service Federal parks officials gave a final thumbs-up to a project that will double the capacity and the height of power lines that cut through the parkland on their way from Pennsylvania to Essex County. After years of debate between power companies and environmentalists, the \$1.2 billion Susquehanna-Roseland line got approval from the National Park Service, Public Service Electric & Gas said today. "This new line will reinforce our nation's critical energy infrastructure for future generations," said Ralph LaRossa, PSE&G's president and CEO in a joint statement with officials from Pennsylvania's PPL Electric Utilities. "It will ensure that homes and businesses in a multistate region continue to enjoy safe and reliable electric service long into the future." Utility representatives have said for years that the project is necessary to avoid power problems that could result in brownouts or blackouts. The project would raise the lines' capacity from 230-kilovolts to 500-kilovolts and raise towers from 65 to 80 feet to as high as 190 feet tall. The project was assailed by environmentalists who believe it will ruin views at the Delaware Water Gap National Recreation Area and keep coal-fired plants open by enabling them sell power to East Coast customers.

### **BLOOMBERG NEWS**

Cabot's Methodology Links Tainted Water Wells to Gas Fracking Methane in two Pennsylvania water wells has a chemical fingerprint that links it to natural gas produced by hydraulic fracturing, evidence that such drilling can pollute drinking water. The data, collected by the U.S. Environmental Protection Agency, are significant because the composition of the gas --its isotopic signature -- falls into a range Cabot Oil & Gas Corp. (COG) had identified as that of the Marcellus Shale, which it tapped through hydraulic fracturing, or fracking. "The EPA data falls squarely in the Marcellus space" established by Cabot's scientists, said Rob Jackson, an environmental scientist at Duke University. That evidence backs up his findings linking gas drilling and water problems in the town of Dimock, applying the very methodology that Cabot established to try to debunk it, he said. Cabot maintains that its operations haven't contaminated homeowners' wells, and its scientists say further analysis shows this gas isn't from the Marcellus, a mile-deep formation running from New York to the southwestern tip of Virginia. Industry groups say there hasn't been proof of fracking contaminating water anywhere, and dispute research that suggests pumping millions of gallons of water, sand and chemicals underground to break apart rock and free trapped gas endangers the environment. The question of the provenance of the gas in the northeastern Pennsylvania town has taken on national importance after tainted wells there were featured in the film "Gasland." Last year, the EPA stepped in to test the water, one of only a few cases nationwide where the federal agency intervened in a dispute over fracking and water woes. "Dimock is so important because it's so high profile," Kate Sinding, a senior attorney at the Natural Resources Defense Council in New York, said in an interview. "It's been a poster child for what can happen with fracking." In a 2010 consent order, the Pennsylvania Department of Environmental Protection found that 18 drinking-water wells in the area were "affected" by Cabot's drilling. The company disagreed, and applauded when the EPA cleared the water in Dimock as safe this July. State regulators ruled last month that Cabot could begin fracking seven wells in the affected area of Dimock, ending a moratorium imposed in 2010.

### **USA TODAY**

Snow may be heavier this winter for Northeast Following a nearly snow-free winter last year, the 50 million Americans who live in the Northeast and Mid-Atlantic should see a snowier-than-average winter, according to a forecast released Wednesday by AccuWeather. "The Northeast and mid-Atlantic will have more snow than they did last year," AccuWeather forecaster Paul Pastelok said. Cities such as New York, Philadelphia, Baltimore, Washington and Charlotte are among those that should receive more snow than usual, he said. Meanwhile, in the drought-scorched central and northern Plains and upper Midwest, the news isn't good: Below-average snowfall and above-average temperatures are forecast. According to the latest U.S. Drought Monitor, 98% of Wyoming,

Colorado, North Dakota, South Dakota, Nebraska and Kansas are enduring drought conditions. The dryness will extend into the Northwest, adding to drought worries there: "I have big concerns about the Northwest," Pastelok said. "We have already set up the stage here at the start of fall with wildfires and drought conditions. The dryness will extend into the Northwest, adding to drought worries there: "I have big concerns about the Northwest," Pastelok said. "We have already set up the stage here at the start of fall with wildfires and drought conditions. "With the exception of a break with some rain and snow during October and early November, it will be drier than normal through the winter season and maybe even longer as we head toward spring." A weak El Niño climate pattern is expected to be one of the major drivers of the USA's weather this winter, AccuWeather meteorologist Mark Paquette says. While earlier forecasts said El Niño (a warming of Pacific Ocean water that affects weather around the world) would be moderately strong, it's now expected to be weak, Paquette said. One of the hallmarks of an El Niño winter is a stormy weather pattern for the southern tier of the USA, expected this year. Across the South, the rain will be mostly welcome, but severe weather could be an issue."Severe weather is going to be a problem again this winter season," Pastelok said. "I think this year it's going to be early on, late November and December, and more confined to the north-central Gulf Coast states, northern Florida and parts of the Southeast."